

On August 23, 1935, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 283 cartons of canned tomato paste at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about June 5, 1935, by the Anaheim Canning Co., from Anaheim, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Kitty Brand Tomato Paste * * * Packed by Glorioso Canning Co., Anaheim, Cal."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy vegetable substance.

On October 2 and October 4, 1935, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25609. Adulteration of tomato catsup. U. S. v. 55 Cases and 60 Cases of Tomato Catsup. Default decrees of destruction. (F. & D. nos. 36240, 36241. Sample nos. 23123-B, 23125-B.)

These cases involved tomato catsup that contained filth resulting from worm infestation.

On August 26, 1935, the United States attorneys for the Districts of Minnesota and North Dakota, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 55 cases of tomato catsup at Moorehead, Minn., and 60 cases of tomato catsup at Fargo, N. Dak., alleging that the article had been shipped in interstate commerce on or about July 12, 1935, by the Hawaiian Pineapple Co., from Alameda, Calif., and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled: "Hunts Superior Tomato Catsup * * * Packed by Hunt Bros. Packing Co., San Francisco, California." The remainder was labeled: "Hunts Tomato Catsup * * * Hunt Bros. Packing Co. San Francisco, Calif."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy vegetable substance.

On October 21, 1935, and January 11, 1936, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25610. Adulteration of tomato ketchup. U. S. v. 95 Cases of Ketchup. Default decree of condemnation and destruction. (F. & D. no. 36248. Sample no. 9978-B.)

This case involved ketchup that contained filth resulting from worm and insect infestation.

On August 31, 1935, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 95 cases of ketchup at San Antonio, Tex., alleging that the article had been shipped in interstate commerce on or about February 26, 1935, by the Kuner-Empson Co., from Brighton, Colo., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Kuner's Ketchup, packed by Kuner Pickle Company, Brighton, Colo."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy vegetable substance.

On October 25, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25611. Adulteration and misbranding of tomato catsup. U. S. v. 698 Cases of Tomato Catsup. Default decree of condemnation and destruction. (F. & D. no. 36254. Sample nos. 16092-B, 16093-B, 16094-B.)

This case involved shipments of canned and bottled tomato catsup that was adulterated because of the presence of filth resulting from worm infestation. A part of the canned catsup was originally labeled "7 lbs.", but on some of the cans the figure "7" had been obliterated. Examination of those cans on which the "7" had not been obliterated showed that they contained less than 7 pounds.

On or about September 9, 1935, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 698 cases of tomato

catsup at Phoenix, Ariz., alleging that the article had been shipped in interstate commerce in various lots between the dates of January 23 and July 10, 1935, by the California Supply Co., in part from San Francisco, Calif., and in part from Mountain View, Calif., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Our Choice Tomato Catsup * * * Western States Grocery Company Distributors Oakland, California."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy vegetable substance.

Misbranding of a portion of the canned tomato catsup was alleged for the reason that it was food in package form and failed to bear a plain and conspicuous statement of the quantity of the contents, since the statement made was either incorrect or missing.

On December 19, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25612. Adulteration of tomato catsup. U. S. v. 29 Cases and 20 Cases of Tomato Catsup. Default decrees of condemnation and destruction. (F. & D. nos. 36268, 36541. Sample nos. 35195-B, 43465-B.)

This case involved tomato catsup that contained excessive mold.

On September 3 and October 25, 1935, the United States attorneys for the Southern District of Ohio and the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 29 cases of tomato catsup at Cincinnati, Ohio, and 20 cases of tomato catsup at Lawrence, Mass., alleging that the article had been shipped in interstate commerce on or about July 2 and August 19, 1935, by the Red Wing Co., Inc., from Fredonia, N. Y., and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled: "Dot Dot's Good Tomato Catsup * * * Distributed by The Janszen Company Cincinnati Ohio." The remainder was labeled: "Red Wing Pure Tomato Catsup * * * The Red Wing Company, Inc. Fredonia, N. Y."

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed vegetable substance.

On October 21 and December 23, 1935, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25613. Adulteration of tomato catsup. U. S. v. 46 Cases of Tomato Catsup. Default decree of condemnation and destruction. (F. & D. no. 36270. Sample no. 35839-B.)

This case involved tomato catsup that contained filth resulting from worm and insect infestation.

On September 6, 1935, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 46 cases of tomato catsup at Denver, Colo., consigned by Stokely Bros. Co., Greenwood, Ind., alleging that the article had been shipped in interstate commerce on or about October 16, 1934, from the State of Indiana into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Ruby Tomato Catsup * * * Fame Canning Co. Inc. * * * Indianapolis, Ind."

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On November 25, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25614. Adulteration of tomato catsup. U. S. v. 140 Cases of Tomato Catsup. Decree of condemnation. Product released under bond. (F. & D. no. 36304. Sample no. 35842-B.)

This case involved tomato catsup a part of which contained filth resulting from worm infestation.

On September 11, 1935, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 140 cases of tomato catsup at Denver, Colo., consigned by Van Camp's, Inc., alleging that the article had been